


UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TENNESSEE
 MEMPHIS DIVISION

FILED BY  D.C.
 05 OCT 26 AM 10:55

THOMAS M. GOULD
 CLERK, U.S. DISTRICT COURT
 W/D OF TENN. MEMPHIS

CHASE TOLLIVER,	*	
Plaintiff,	*	
vs.	*	No. 05-2456-M1/V
ECONOMY BOAT STORE,	*	
Defendant.	*	

RULE 16(b) SCHEDULING ORDER

Pursuant to written notice, the parties held a scheduling meeting on Friday, October 21, 2005. Present were Howard M. Cohen, counsel for the Plaintiff, and G. Ray Bratton, counsel for the Defendant. At said meeting, the parties agreed to the following dates, which are now hereby established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):	<u>November 4, 2005</u>
JOINING PARTIES:	<u>December 21, 2005</u>
AMENDING PLEADINGS:	<u>December 21, 2005</u>
INITIAL MOTIONS TO DISMISS:	<u>January 20, 2006</u>
COMPLETING ALL DISCOVERY:	<u>June 23, 2006</u>
(a) DOCUMENT PRODUCTION:	<u>June 23, 2006</u>
(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:	<u>June 23, 2006</u>

11

(c) EXPERT WITNESS DISCLOSURE
(Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S
RULE 26 EXPERT INFORMATION: April 21, 2006
- (2) DISCLOSURE OF DEFENDANT'S
RULE 26 EXPERT INFORMATION: May 22, 2006
- (3) EXPERT WITNESS DEPOSITIONS: June 23, 2006

FILING DISPOSITIVE MOTIONS: July 24, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to response by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 3 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a) (A), all motions except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have consented to trial before the magistrate

judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

Date: October 25, 2005

Agreed:

O'BRYAN BAUN COHEN & KUEBLER

By /s/ Howard M. Cohen
by G. Ray Bratton with permission
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BRATTON & O'NEAL, P.C.

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Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02456 was distributed by fax, mail, or direct printing on October 26, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT